

ACCEPTED
7/27/18 *FB*

GLUC APP NO. 2018-41
CASE PLANNER: PENMERG

ZONE CHANGE APPLICATION

PGulac 6/15/18
RECEIVED
Plany Dwy

FROM: "R-1" (SINGLE-FAMILY DWELLING)

TO

"C" (COMMERCIAL) ZONE

**FOR : PACIFIC SEVEN INVESTMENTS, LLC &
IGNACIO C. AGUIGUI (AUTH REPRESENTATIVE)**

LOT NO. 1306

MUNICIPALITY OF HAGATNA, GUAM

Prepared by
HARRY D. GUTIERREZ
Consultant
#119 Gutierrez Way
Agana Heights, Guam 96910
482-5315; Email:harry.gutierrez@yahoo.com

HARRY D. GUTIERREZ
Consultant
#119 Gutierrez Way
Agana Heights, Guam 96910
482-5315 Email: harry.gutierrez@yahoo.com

June 12, 2018

To: Chairman & Commissioners, Mr. Michael JB Borja, Director and
Executive Secretary, Guam Land Use Commission (GLUC)
C/o Department of Land Management
ITC Bldg, Suite 700, Tamuning, Guam 96911

Subject: Zone Change Application for: Lot 1306, Municipality of Hagatna
For Pacific Seven Investments, LLC (Owners) & Ignacio C. Aguigui (Auth Rep)

Hafa Adai:

On behalf of my clients, and pursuant to Sections 61630 through 61634, Part 3, Article 6, Changes of Zones, Chapter 61 – Zoning Law, Title 21 Guam Code Annotated. I am submitting the enclosed zone change application on the subject lot above for your review and consideration before the Guam Land Use Commission, for a Zone Change from "R-1" (Multi-Family Dwelling) to "C" (Commercial) Zone.

The subject lot is located near Route No. 4, in Hagatna (see attached map) and is approximately 220 feet west of the Route No. 4, and approximately 450 feet west of Agana Shopping Center. The lot is abutting the Law Library and the Courthouse parking lot in Agana. The main access is a public right of way (Esperanza Street) that connects to Route No. 4 (100-foot right-of-way) to the east.

Land Uses in the area: For your information, the commercial zoned properties are along Route No. 4 (within 200 feet from the edge Route 4. The rest of the lots are zoned "R1" in the immediate area and mixed uses of R1, R2, residential homes and apartments (Nelson's Apartments on the hillside (to the south approximately 500 feet. Territorial Planning Commission (TPC) rezoned other lots nearby for the court house and its accessory buildings to include the law library (Lot 1307). Agana Shopping Center is the large commercial complex to the north with 500 feet within a commercial zone.

The lot was acquired by my clients few years ago they want to develop this site with a commercial /professional building for office spaces as well as provide a few professional office spaces for rent and the site also will be landscaped. They intend to develop and to be consistent to other commercial establishments and is near a major thoroughfare. It is within the Hagatna Redevelopment masterplan – Commercial Zone.

1. * 250 From Rt 4 center line.
2. V → Provide citation/ Proof of TPC action.
3. Pls. provide letter from HRA stating proposed action is in line w/ proposed master plan if properly falls w/n parameters of master plan.

⌘

Based on land use site studies of the area, commercial use of the lot would be the most ideal rather than residential. This area is within the commercial zone development of the Hagatna Redevelopment Masterplan. The nearest commercial zone lot is approximately 20 feet the commercial zone boundary west of Route No. 4 and the other lots that are located along the highway (Route No. 4) are commercial within 200 feet to 500 feet to the east.

Again, this site is the most ideal and preferred location to serve the public for a commercial operation, that my clients are proposing for a commercial building with professional office spaces, and provide adequate parking on site for tenants and patrons.

4. Planner to assess if surrounding zone overlay

Permitted and compatible uses in a "C" zones includes commercial buildings and complexes with accessory structures, retail/wholesale activities, gas stations, maintenance repair services shops for 00minor repairs, single family dwellings, residential duplexes, etc.. and the likes as noted on 21GCA 61307 (Commercial Zones).

The topography is flat all around the property. The subject lot has a main access on Esperanza Street that connects to Route No. 4 within 200 feet. All utilities (water, sewer, power, etc..) are available in the immediate area within 100 feet.

The lot area: 481.22 square meters or 5,179.7 square feet or 1/8 + acre; The site will be able to accommodate the proposed activities, all required parking and loading, all drainage and other requirements by the zoning law and government permitting requirements for the intended use. My clients will ensure that all conditions and other requirements by permitting agencies are to be adhered to from clearing, construction and to final occupancy. The rezoning of the property will not have any adverse impact within the surrounding properties as there is adequate setbacks that will buffer the commercial activity being proposed on the site. Meets regulations along district boundaries 21 GCA 61302 of setback requirements abutting adjacent residential/rural zones lots. If rezoned, the uses will only be for commercial uses and accessory uses permitted and not for other uses that is not permitted or approved by the commission. An Environmental Impact Assessment (EIS) is required and is attached for review and is a part of this application.

Title 21, Guam Code Annotated , Chapter 61, Section 61630, of the zoning law mandates that public necessity, public convenience, and general welfare are addressed and justified, that the Commission may recommend to the Governor for approval for an amendment of the zoning map.

For the Commission's review and consideration on this application, these three important conditions are presented and justified below.

Cont.

A. Public Necessity :

The proposed zone change of the lot and proposed uses are compatible with existing Commercial activities and some residential uses in this area. The proposed land use and activities will provide the community with office spaces as well as professional office space and other permitted commercial services for the public's need. This area is within central Guam and near the airport and business districts. This area will be developing into a more commercial type activities to accommodate a growing island population and the anticipated military build-up in the next few years and beyond. It is also within the commercial district of the Hagatna Redevelopment masterplan.

B. Public Convenience:

The proposed zone change of the lot will afford public convenience for much needed office spaces and commercial/professional office and service related activities at this location as it is centrally located that is consistent with the current land uses as an extension of the existing commercial zone along Route No. 4. The location is prime and ideal, central and conveniently near areas with large population to better provide goods and services and related activities the immediate area and to a growing island community.

C. General Welfare:

The proposed zone change of the lot will protect the general public, the immediate surroundings and properties by being consistent for commercial zone within close proximity of other commercial lots and commercial zone with existing commercial activities along Route No. 4 and it is within the Hagatna Redevelopment area masterplan for commercial zoning. There are vacant lots, single family dwellings, multi-family complexes, commercial building and government offices, schools and churches nearby and on the south east, south west that will be protected and buffered by a public access, as well as with landscaping of the site and all setbacks to be in compliance with the zoning law. Development plans for the proposed project site will ensure protection of adjacent neighbors, the public, and the environment, by adhering to all permitting requirements, as well as all local and federal regulations. The location is prime, ideal and is central to all areas with large population, and is abutting other commercial properties. The proposed new commercial development will be requiring products and other services from other commercial local vendors. The establishment of this site for commercial activities, and its operations will provide employment to local residents and contribute to the island's economic development and prosperity. The applicants/owners will ensure that all conditions and other requirements by permitting agencies are to be adhered to from clearing, construction and to final occupancy. The proposed development will be fenced if required, and landscaped and will be kept in good order to buffer, protect neighbors, and to provide an orderly and appealing site.

Page 4 (Ref: Lot 1306 , Hagatna, Guam ; Pacific Seven Investments, LLC (Owners) & Ignacio C. Aguigui (Auth Rep)
Rezoning Application from "R-1" to "C";
Represented by Harry D. Gutierrez.

Cont.

Again, all performance standards and requirements by the Application Review Committee (ARC), and the Guam Land Use Commission (GLUC) will be complied with as well as submission of an Environmental Impact Assessment (EIA), is attached and any other requirements pursuant to Section 61630, Article 6, Changes of Zones, Chapter 61 - Zoning Law, Title 21 Guam Code Annotated shall be complied with.

Enclosed are additional supporting information for the application and a copy of the survey map. On behalf of my clients, we hope that your consideration of this request will be favorable. Should you need additional information or clarification, please don't hesitate to call me.

Respectfully,



Harry D. Gutierrez
Representative 482-5315

With Enclosures/Maps/Attachments.

ZONE CHANGE

TO: Executive Secretary, Guam Land Use Commission
c/o Land Planning Division, Department of Land Management
Government of Guåhan, P.O. Box 2950, Hagatna, Guåhan 96932

The Undersigned owner(s)/lessee(s) of the following described property hereby request consideration for a *Zone Change*.

1. Information on Applicant:

Name of Applicant: Pacific Seven Investments, LLC & Ignacio C. Aguigui
(Auth Representative)
C/O Harry D. Gutierrez, Consultant U.S. Citizen: [] Yes [] No
Mailing Address: c/o 119 Gutierrez Way, Agana Heights, GU 96910
Telephone No.: Business: 482-5315 Home: _____

2. Location, Description and Ownership:

Subdivision Name: N/A
Lot(s): 1306 **Block:** N/A **Tract:** N/A
Lot Area: Acres 1/8⁺ **Square Meters:** 481.22 **Square Feet:** 5,179.7
Village: Hagatna **Municipality:** Hagatna
Registered Owner: Pacific Seven Investments, LLC
Certificate of Title No.: (Warranty Deed) **Recorded Document No.:** 895452
(See Attached & Map; LM221FY85)

3. Current and Proposed Land Use:

Current Use: Vacant Land **Zoned:** "R-1" (Single-Family)
Proposed Use: Commercial/Professional Building **Proposed Zone:** "C" (Commercial)
Master Plan Designation: Commercial - Hagatna Redevelopment Masterplan

4. Attach a one page typed, brief and concise justification (letter format explaining the compatibility of the proposed project with adjacent and neighborhood developments as they exist; your intentions and purpose of the Zone Change request justifying public necessity, public convenience and general welfare in accordance with *Guam Code Annotated 21 GCA, Chapter 61, Section 61630*).

5. Support Information. The following supporting information shall be attached to this application:

- a. 8 1/2" X 14" map, drawn to scale, showing existing zoning within 1000 feet radius from the subject lot's boundaries.

ATTACHMENT: Section 61630 (Requirements for Changes) and Section 61638 (Review by Municipal Planning Council is attached for your information and guidance in preparation of your Zone Change Application. For additional requirements, visit the Zoning Section, Land Planning Division.

ZONE CHANGE

6. Supporting Information (Continuation):

- b. All parcels and their uses within 750 feet radius from the subject lot's boundaries. The map shall also contain:
 - (1) Lot number for every parcel(s);
 - (2) Identify by name and use all existing activities on all parcel(s) through a legend/code reference;
 - (3) All adjacent inclusive and exclusive easements and roads to the property, their widths, and condition of surfaces;
 - (4) The nearest location of all public utilities to the subject lot;
 - (5) All natural or topographic peculiarities.
- c. 8 1/2" X 14" map, drawn to scale, showing all parcels within 500 feet radius of the subject lot's boundaries. Each parcel shall be identified with property lot number.
- d. The most recent survey map, certified and recorded at the Department of Land Management, showing the subject property.
- e. A detailed As-Built Plan of the lot shall include the following:
 - (1) Total number and types of building;
 - (2) Parcel size in square meters/feet;
 - (3) Layouts of utilities and drainage;
 - (4) Proposed lot coverage of building(s) and accessories in square meters/feet;
 - (5) Approximate gross and net densities allowed on parcel;
 - (6) Feasibility study;
 - (7) Topography;
 - (8) Existing earth faults and sinkholes;
 - (9) Water courses and lens;
 - (10) Reservation, conservation and historic places;
 - (11) Total percentage of open spaces exclusive of parking stalls and other man-man features;
 - (12) Percentage of building footprint (PD only); and
 - (13) Compatibility to surrounding uses (PD only).
- f. If leased, lease agreement (the assignment of lease and the covenant).
- g. An initial comprehensive *Environmental Impact Assessment (EIA)* in accordance with Executive Order 90-10.
- h. Additional information as required by the Guahan Chief Planner
- i.

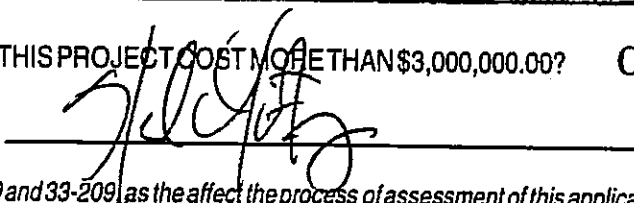
Submit one set of the Application with all the supporting information listed above. Once the Application is reviewed and accepted, applicant must submit the required number of hard copies (32 sets) of the Application and nine (9) copies of the Application in electronic format (example: in CD format, etc.)

7. Filing Fee: Fifty Dollars (\$50.00) filing fee for the first five pages, and \$.25 for any additional page, under Public Law 29-02, Chapter V, Part III (*Fees and Charges Assessed by the Department of Land Management*).

8. In an effort to provide a more effective means by which the municipality's concerns are heard and accommodated according to the land and regulations of real property uses, this land use application must be assessed for the need to an empanelment of a Hybrid Commission pursuant to P.L. 33-219. A Hybrid Commission will be empaneled if this application represents a development cost of more than three million dollars (\$3,000,000.00), exclusive of the cost of the property as described in this application.

LESS THE VALUE OF THE PROPERTY, WILL THIS PROJECT COST MORE THAN \$3,000,000.00? ☐ Yes ☒ No

Please sign attesting to your answer: C:=:>



(See attachment for more information on P.L. 33-219 and 33-209 as they affect the process of assessment of this application)

ZONE CHANGE

9. **Required Signatures:** All legal owners/lessees of designated parcel shall sign form with name(s) typed or handwritten, signed and dated:

"I hereby certify that all information contained in this application and its supplements are true and correct. I also understand that any misrepresentation in this application shall void the entire submission. Further, that thirty-two (32) sets of the above listed required information is provided."

(REF: Lot 1306, Hagatna, Guam)

Pacific Seven Investments, LLC & Ignacio C. Aguigui (Auth Representative

(Owner(s) or Lessee(s) and Date)

HARRY D. GUTIERREZ, CONSULTANT June 12, 2018

(Representative, if any, and Date)

(SEE ATTACHED AFFIDAVIT OF AUTHORIZATION)

THIS FORM SHALL NOT BE MAILED. APPLICANT OR REPRESENTATIVE SHALL SUBMIT IN PERSON, BY APPOINTMENT ONLY, TO THE LAND PLANNING DIVISION, DEPARTMENT OF LAND MANAGEMENT.

FOR OFFICIAL USE ONLY

Date Accepted: _____ Accepted By: _____

Date of Notice in Newspaper(s): _____ Date of Notice to
Adjacent Property Owners: _____

Date of Public Hearing: _____

Filing Fee(s) Paid (\$): Yes [] No [] Check [] Cash [] Other [] _____

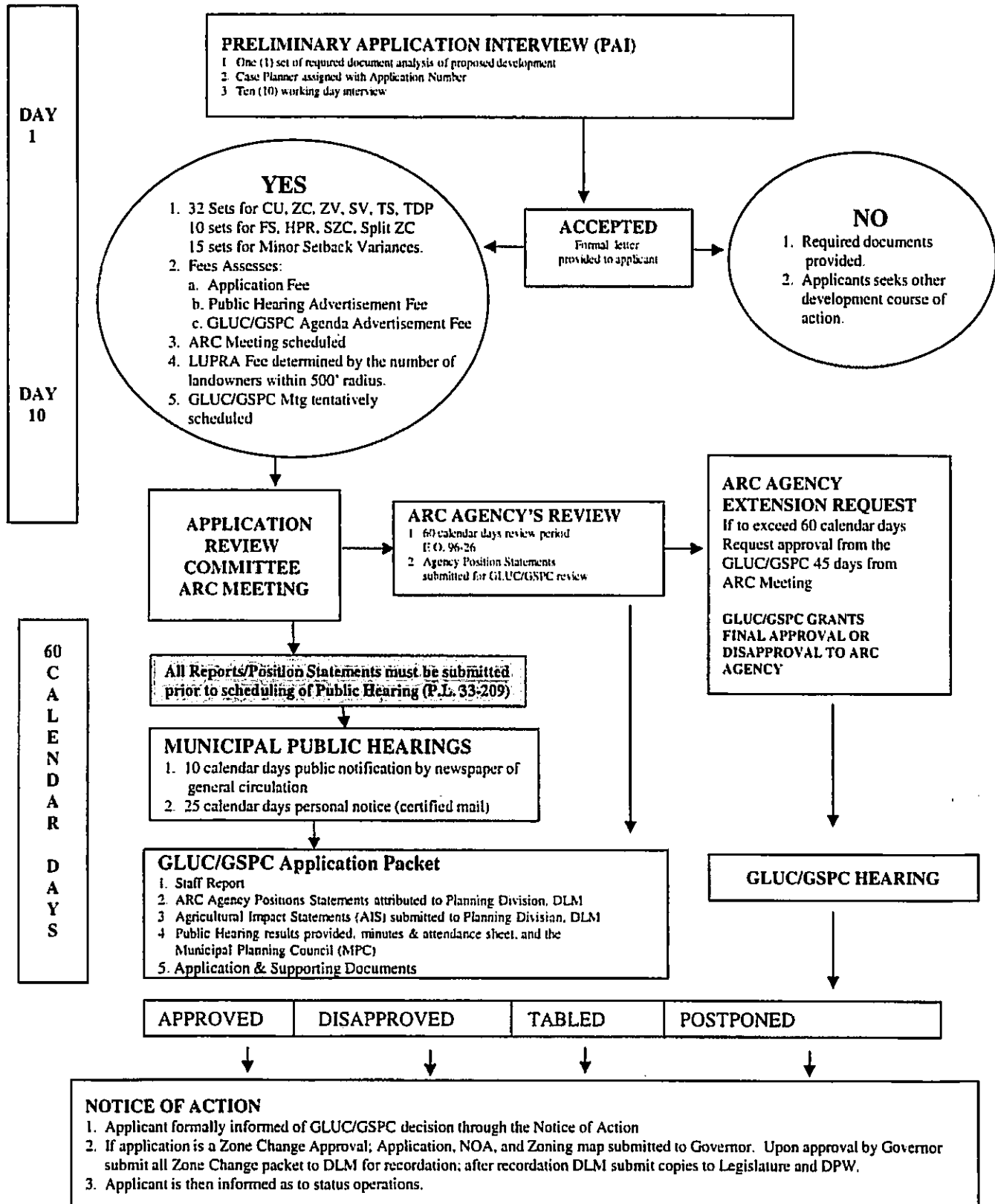
Receipt No.: _____ Application Number: _____

Date of GLUC Action: _____ Conditions: Yes [] (See Below) No []

Conditions of Approval: _____

GLUC Resolution No.: _____ Date of Notice of Action: _____

GUAM LAND USE COMMISSION GUAM SEASHORE PROTECTION COMMISSION APPLICATION PROCESS



NOTICE TO REZONE (Red Letters)

PUBLIC NOTICE

GLUC :

AN APPLICATION HAS BEEN FILED WITH THE GUAM LAND USES COMMISSION (GLUC)
FOR A:

ZONE CHANGE

APPLICATION DESCRIPTION:

To rezone the lot from "R-1" (Single-Family) to "C" (Commercial) Zone for
proposed construction of a commercial / Professional Building

OWNER: Pacific Seven Investments, LLC (Owner) & Ignacio C. Aguigui (Auth Rep)

DEVELOPER: Pacific Seven Investments, LLC (Owner)
c/o Harry D. Gutierrez (Consultant)

LOT, BLOCK, TRACT, MUNICIPALITY: Lot 1306, Block: N/A Tract: N/A
Municipality of Hagatna

PROPOSED CHANGE OF ZONE: To rezone from "R-1" (Single-Family)
to "C" (Commercial) Zone

DATE:

TIME :

PLACE:

PUBLIC HEARING: _____

Hagatna/ Mayor's Office

GLUC MEETING: _____

DLM/GLUC CONF RM
3RD FLR ITC BLDG, TAMUNING

Procedures for Placement of Mandatory Billboard for Public Notification

Effective Date: November 11, 2011

As Approved by the Office of the Guam Chief Planner

Division of Land Planning, Department of Land Management

The purpose for these following procedures is to clarify and standardize the requirement for the placement of public notice signs on the subject lots under review by the Guam Land Use Commission (GLUC) pursuant to 21GCA, Chapter 61, *Zoning Laws, Part 3, Changes of Zones, Section 61633, Hearing Dates-Notice (for Zone Change Requests)*; Article 3, Section 61303(c) *(for Conditional Use Permit Requests)*; Part 2, *Appeals & Review, Section 61619, Hearing Date-Notice (for Zone Variance Requests)*. Applicants are instructed to review the following steps and procedures and acknowledge its contents and responsibilities. (This document shall be entered as a mandatory information and part of the filed application packet)

A. SIZE DIMENSION AND SIGNAGE:

1. The Billboard shall maintain a dimension no smaller than 4 feet by 8 feet (as allowed in a standard-sized plywood board) with a white background entirely.
2. In that portion stating "NOTICE TO REZONE*" shall be dominantly in English, shall use a letter font size no smaller than 12", and shall be in red. This portion of the sign shall take up no less than 2 feet by 8 feet and preferably on the upper half of the sign.
3. In that portion stating "PUBLIC NOTICE" shall be dominantly in English, shall use a letter font size no smaller than 8", and shall be in red.
4. In that portion stating "AN APPLICATION HAS BEEN FILED WITH THE GUAM LAND USE COMMISSION (GLUC) FOR A ZONE CHANGE" shall be dominantly in English, shall use shall use a letter font size no smaller than 4-6", and shall be in red.
5. In that portion providing: the title of the filed application; owner and name of the developer; the lot, block, and tract number of the subject lot; and the proposed change of zone, purposed variance, or proposed conditional use regarding the application, shall be dominantly in English, shall use a letter font size no smaller than 4-6", and shall be in either red or black.
6. In that portion providing: the Date and Time for each Public or GLUC Hearing shall be dominantly in English, shall use a letter font size no smaller than 4-6", and shall be in either red or black.
7. All characters and letters will be printed in legible and permanent media so as to prevent any possible degradation in material or context due to elements of nature.

Applicant's Initials _____

B. PLACEMENT AND MAINTENANCE OF SIGNAGE:

1. The applicant shall not be restricted to the placement of one billboard advertisement of public notice, but shall opt to place additional billboard as may deemed necessary to insure public notification in accordance with applicable statutes is achieved and may be applicable at the recommendation of the Guam Chief Planner.
2. The Billboard shall be erected and displayed in a visible and prominent place on the subject site no less than 5 days after the application has been filed with the Guam Land Use Commission or Guam Seashore Commission, whichever is applicable and in accordance to applicable statute.
3. Billboards shall be erected and in placed in a location within the subject lot(s) as to avoid any hindrance to pedestrian or vehicular travel. The billboard shall not be used for the purpose of hindering public access within a Public Right-of-Way.
4. When facing a roadway or in an area determined as the most obvious and visually accessible, such area where the billboard will be placed shall be free of any object, natural material, or any man-made or natural structure or form that would otherwise hinder visual access to the billboard. The applicant or his authorized agent shall be responsible for maintaining said area and sign for the duration of the application's review and assessment period and no later than one day after the GLUC/GSPC has rendered a final decision.
5. The applicant or his authorized agent shall be responsible for updating the billboard, particularly on public hearing or GLUC/GSPC hearing dates.

C. OFFICIAL STAMP DATE PROOF OF PUBLIC NOTIFICATION:

In an effort to insure timely public notification of public or GLUC hearing dates, times, and venue the applicant or his authorized agent shall perform the following:

1. Upon notification of a confirmed and scheduled public or Commission hearing date, the applicant or his authorized agent shall enter such date(s) on the billboard no later than **three days after being notified or as required under statute.**
2. For the purpose of insuring proof new information has been added to the sign within the required timeline, the applicant or his authorized agent shall either:
 - a. Obtain a digital photograph of the billboard, obviously showing the entered date(s). The digital photograph shall then be sent to the application case planner via email or other electronic media. The date received via email or other electronic media shall serve as the date stamp proof in accordance with part 1a of this instruction; or
 - b. Obtain a still photograph of the billboard, obviously showing the entered date(s). The photograph shall then be brought to the office of the application case planner, either personally or by electronic means (i.e. electronically scanned then sent by

Applicant's Initials _____

Procedures for Placement of Mandatory Billboard for Public Notification (con't)

email, facsimile, etc). The case planner shall then receive the photo(s) as the date stamp proof of the hearing date in accordance with part 12a of this instruction (in the event a facsimile is used, the case planner shall use the date received in faxed copy as the date stamp proof; otherwise,

- c. When personally delivering the photo(s), the applicant or his authorized agent shall submit accordingly using the following form and context for the receipt and acknowledgement of stamp date proof.

This is to acknowledge that the applicant's or authorized agent has submitted proof that dates pertaining the public hearing/Commission were entered in the mandatory Public Notice Billboard pursuant to Part C2a of the *Procedures for Placement of Mandatory Billboard Public Notification*.

DATE NOTIFIED BY CASE PLANNER: _____

DATE ENTERED ONTO BILLBOARD BY APPLICANT: _____

CASE PLANNER ACKNOWLEDGED: _____

GUAM CHIEF PLANNER ACKNOWLEDGED: _____

***This document to have attached a copy of a sign sample.

I/We have been advised of my/our Case Planner of the requirements of the mandatory installation of a public notice sign as described above and that I am/we are responsible for its installation, maintenance, and updating of said sign as well meeting the requirements of all applicable statues relative to providing appropriate public notice of all applicable public meeting and/or hearing dates concerning my/our land use application as filed with the Division of Land Planning. I/ We understand that any failure to meet these requirements may prevent further processing of my/our application or revocation, thereof.

APPLICANT'S NAME (PLEASE PRINT)

SIGNATURE

DATE

**ZONE CHANGE APPLICATION SUPPORTING
DOCUMENTS:**

**REZONING FROM: "R-1" (Single-Family Dwelling)
TO : "C" (Commercial) Zone**

Lot 1306, Hagatna, Guam

**FOR : Pacific Seven Investments, LLC &
Ignacio C. Aguilgul (Auth Representative)**

ATTACHMENTS:

Ownership

Affidavit of Authorization

Environmental Impact Assessment (EIA) Short form

Site Location & Land Use Radiuses Map

Conceptual Drawings

Official Survey Map

AUTHORIZATION

PACIFIC SEVEN INVESTMENTS, L.L.C., Municipality of Tamuning, Guam, through **IGNACIO C. AGUIGUI**, its authorized representative, of legal age and with power bestowed as the Representative of the subject property, through this instrument hereby does grant and authorize the following until revoked, modified, or amended:

1. That **HARRY D. GUTIERREZ** is hereby authorized to represent us in obtaining a **ZONE CHANGE** to **COMMERCIAL ZONE** with the Department of Land Management, with regard to **Lot 1306, Hagatna, Guam**.
2. That our authorized representative/consultant may conduct himself accordingly to arbitrate, negotiate, commit, represent, mitigate and abate the proposed project through all reviewing instrumentalities involved along the process.

I hereunto affix my signature to this affidavit:

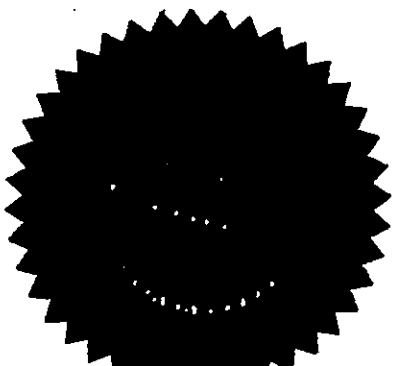
PACIFIC SEVEN INVESTMENTS, L.L.C.

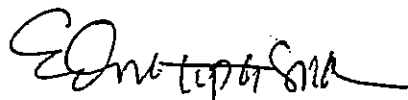
By: 
IGNACIO C. AGUIGUI
ITS AUTHORIZED REPRESENTATIVE

Date: November 21, 2017

Guam, U.S.A.)
City of Tamuning)

Subscribed and sworn to (or affirmed) before me on this 21st day of November, 2017, by **IGNACIO C. AGUIGUI**, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.





NOTARY PUBLIC

EDNA M. TOPASNA
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: **JULY 28, 2021**
P.O. Box 138 Hagatna, Guam 96932

FOR
RECORDING
AT THE
DEPARTMENT
OF LAND
MANAGEMENT

Island of Guam, Government of Guam
Department of Land Management Office of the Recorder

File for Record is Instrument No. 895452
On the Year 16 Month 7 Day 28 Time 233
Recording Fee 287.50 Receipt No. 45607
Deputy Recorder JOEL D. ANTENORCruz

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

WARRANTY DEED

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

KNOW YE, that we, TERANGUE GILLHAM, a married man, whose mailing address is PO BOX 3207 AGANA GUAM 96932, and JULIETTE A. GILLHAM and TERANGUE GILLHAM, Co-Trustees of the Survivor's Trust established under the H. Dean Gillham and Juliette A. Gillham Trust dated March 14, 2011, whose mailing address is PO BOX 3207 AGANA GUAM 96932, hereinafter referred to as the "GRANTORS", for good and in lawful consideration in the sum of (\$25.00), and other valuable consideration paid to us by PACIFIC SEVEN INVESTMENTS, L.L.C., a Guam limited liability company, whose mailing address is c/o: 275-G Farenholt Ave., #20, Tamuning, Guam 96913, who is hereinafter referred to as the "GRANTEE", the receipt of which is hereby acknowledged, does hereby GRANT, BARGAIN, SELL and CONVEY unto the GRANTEE, in fee simple, forever, the following described parcel of property:

PROPERTY DESCRIPTION

LOT NO. 1306, HAGATNA, GUAM, (ESTATE NO. 2168), URBAN, as said lot is marked and designated on Map Drawing No. DRP-85-201 LM#221FY#85, dated 06/14/1985 and recorded on 06/17/1985 under Instrument No. 359882, in the Department of Land Management, Government of Guam.

The following is shown for information purposes only: Said map shows the area to be 481.22 +/- square meters (recorded) or 481 +/- square meters (computed); Last Certificate of Title No. 83646 Issued to Jesus E. Namauleg.

TOGETHER with all and singular the buildings, improvements, ways, streets, alleys, passages, water-courses, rights, liberties, privileges, hereditaments, and appurtenances, whatsoever thereunto belonging or in anywise appertaining, and reversion, remainder and remainders, rents, issues and profits thereof, and all estates, rights, title, property, claim and demand whatsoever, of the Grantors at law or in equity, in and to the same.

TO HAVE AND TO HOLD the same, together with all the hereditaments and appurtenances thereunto belonging and in anywise appertaining unto the GRANTEE and GRANTEE'S successors, administrators, and assigns, forever.

Grantors and Grantors' heirs, successors, administrators, and assigns, covenant with the said Grantee and Grantee's successors, administrators, and assigns, that Grantors are lawfully seized in fee simple of the granted premises; that said premises are free from all encumbrances except; current real estate taxes not yet due and payable; rights of way, easements, covenants and restrictions of record; that Grantors have good right to sell and convey the same; and that Grantors and any of Grantors' heirs, successors, administrators and assigns will forever warrant and defend the same to the said Grantee and Grantee's successors, administrators, and assigns forever against the lawful claims and demands of all persons.

Grantors make no representations nor warranties that the Grantee may use the property for any particular purpose or that the Grantee may obtain a change of zone permit.

WATER AND POWER

Grantors further state that water and power (electricity) are immediately available on the property or within 100 feet of the property, and that the Grantee is aware that the Government of Guam *is not* required to pay for water and power (electricity) hookups or extensions.

IN WITNESS WHEREOF, the Grantors and the Grantee have caused these presents to be duly executed this 28th day of JULY, 2016.

GRANTORS:

Date

7/28/16

TERANGUE GILLHAM

JULIETTE A. GILLHAM and TERANGUE
GILLHAM, Co-Trustees of the Survivor's Trust
established under the H. Dean Gillham and Juliette
A. Gillham Trust dated March 14, 2011

BY:

JULIETTE A. GILLHAM, Co-Trustee

BY:

TERANGUE GILLHAM, Co-Trustee

GRANTEE:

Date

7/27/16

PACIFIC SEVEN INVESTMENTS, L.L.C.,
a Guam limited liability company

BY:

IGNACIO C. AGUIGUI
Authorized Representative

GUAM, U.S.A.

City of

Tam.

) ss:

On this 28th day of JULY, 2016. Before me, a Notary Public, in and for GUAM, U.S.A., personally appeared TERANGUE GILLHAM, known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and he/she/they executed the same as his/her/their free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and official seal.

) seal (

Sara C. Pangelinan
Notary Public

SARA C. PANGELINAN
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: MAY 09, 2017
888 N. Marine Corps Dr., Ste. 200, Tamuning Guam 96913

GUAM, U.S.A.

City of

TAM

) ss:

On this 28th day of JULY, 2016. Before me, a Notary Public, in and for GUAM, U.S.A., personally appeared JULIETTE A. GILLHAM and TERANGUE GILLHAM, known to me to be the Co-Trustees of the Survivor's Trust established under the H. Dean Gillham and Juliette A. Gillham Trust dated March 14, 2011, the trust therein named and he/she/they acknowledged to me that he/she/they executed the within instrument on behalf of said trust for its uses and purposes therein set forth.

WITNESS my hand and official seal.

) seal (

Sara C. Pangelinan
Notary Public

SARA C. PANGELINAN
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: MAY 09, 2017
888 N. Marine Corps Dr., Ste. 200, Tamuning Guam 96913

GUAM, U.S.A.

City of

PM.

} ss:

On this 27th day of JULY, 2016. Before me, a Notary Public, in and for GUAM, U.S.A., personally appeared IGNACIO C. AGUIGUI, known to me to be the Authorized Representative of PACIFIC SEVEN INVESTMENTS, L.L.C. the limited liability company therein named and he/she acknowledged to me that he/she executed the within instrument on behalf of said limited liability company for its uses and purposes therein set forth.

WITNESS my hand and official seal.

) seal (

Sara C. Pangelinan
Notary Public

SARA C. PANGELINAN
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: MAY 09, 2017
888 N. Marine Corps Dr., Ste. 200, Tamuning Guam 96913

SPOUSAL CONSENT

I, LEAH ASANUMA GILLHAM, wife of TERANGUE GILLHAM, depose and state that I acknowledge that I have no claim or interest in LOT NO. 1306, HAGATNA, GUAM, and to the extent that I do have any such interest, I hereby join in the Deed executed by my spouse.

Date:

7/28/16

LEAH ASANUMA GILLHAM

Guam, U.S.A.

City of

TAM.

} SS

On this 28th day of July, 2016, before me, a Notary Public, in and for GUAM, U.S.A., personally appeared LEAH ASANUMA GILLHAM, known to me to be the person whose name is subscribed to the within instrument and she acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein set forth.

WITNESS my hand and official seal.

) seal (

Notary Public

SARA C. PANGELINAN
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: MAY 09, 2017
888 N. Marine Corps Dr., Ste. 200, Tamuning, Guam 96913

AUTHORIZATION

PACIFIC SEVEN INVESTMENTS, L.L.C., Municipality of Tamuning, Guam, through **IGNACIO C. AGUIGUI**, its authorized representative, of legal age and with power bestowed as the Representative of the subject property, through this instrument hereby does grant and authorize the following until revoked, modified, or amended:

1. That **HARRY D. GUTIERREZ** is hereby authorized to represent us in obtaining a **ZONE CHANGE** to **COMMERCIAL ZONE** with the Department of Land Management, with regard to **Lot 1306, Hagatna, Guam**.
2. That our authorized representative/consultant may conduct himself accordingly to arbitrate, negotiate, commit, represent, mitigate and abate the proposed project through all reviewing instrumentalities involved along the process.

I hereunto affix my signature to this affidavit:

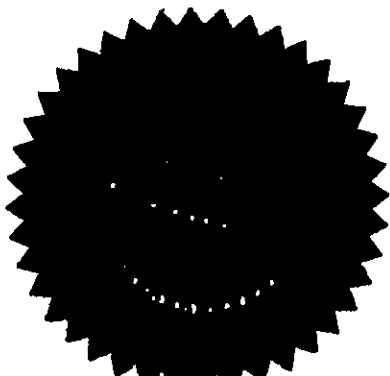
PACIFIC SEVEN INVESTMENTS, L.L.C.

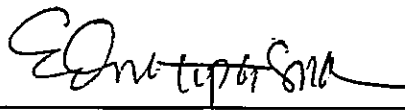
By: 
IGNACIO C. AGUIGUI
ITS AUTHORIZED REPRESENTATIVE

Date: November 21, 2017

Guam, U.S.A.)
City of Tamuning)

Subscribed and sworn to (or affirmed) before me on this 21st day of November, 2017, by **IGNACIO C. AGUIGUI**, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.





NOTARY PUBLIC

EDNA M. TOPASNA
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: **JULY 28, 2021**
P.O. Box 138 Hagatna, Guam 96932

**GUAM ENVIRONMENTAL PROTECTION AGENCY (GEPA)
ENVIRONMENTAL IMPACT ASSESSMENT (SHORT FORM)**

October 1999

GEPA has developed this EIA form for use by developers proposing projects or land use activities which may pose only insignificant environmental impacts. This form is provided as an alternative to the EIA standard format provided to satisfy the requirements of Executive Order 96-26. If potential environmental impacts and issues are assessed or determined to be significant either by the applicant or GEPA, a more detailed EIA may be required including a thorough presentation and discussion of alternatives as required by the *Guidelines for the Preparation of Environmental Impact Assessments and Statements* (GEPA October 1999).

This EIA format constitutes the minimum necessary assessment and disclosure of potential impacts for a project. This form may also be used as a preliminary scoping guide or checklist in consultation with the Agency.

Case No : _____

Project Title : Zone Change

1. Name, address and business telephone of applicant:

Pacific Seven Investments, LLC (Owner) & Ignacio c. Aguigui (Auth Rep)

c/o Harry D. Gutierrez 482-5315 (Auth Rep/Consultant)

2. Name, title and telephone number of Representative:

Harry D. Gutierrez, Authorized Representative/Consultant, 482-5315

3. Name, title and telephone number of EIA document preparer :

Harry D. Gutierrez, Authorized Representative/Consultant , 482-5315

4. Location of the proposed project: (include tract, block, lot, municipality and a location map)

Lot 1306, Hagatna, Guam, see map LM 221 FY 85

5. Describe the general nature or type of proposed project:

To construct a commercial /professional building with vehicular parking, landscaping, ponding basin on site.

EIA : Short Form - Zone Change - Lot 1306, Hagatna, Guam

Page 2 of 5

6. Are the following critical environmental factors affected by the proposed project? If yes, describe the impact and state why it would not be significant. If not affected, provide reasons why. If more space is required refer to and attach additional sheets.

a. Groundwater recharge area: Yes, it appears it is within the area and will comply with all required Environmental Controls. Minimal impacts.

b. Watersheds: Yes, the site may be within the area and will comply with all required Environmental Controls. Minimal impacts.

c. Wellhead protection zone: None

d. Streams, lakes or ponds: None

e. Marine waters: None

f. Reef flats: None

g. Pristine forest: None

h. Critical habitat area: No known critical habitat or nearby exists; subject to clearances from Guam EPA and Dept of Agriculture.

i. Wetlands: None

j. Flood hazard area: None

k. Archaeological feature(s) or historical sites:

None; Subject lot has is abutting commercial activities the northern lot is a parking lot for the courthouse . The applicant will comply to all requirements should any artifacts are found during clearing and construction phases.

7. Will the project result in any of the following environmental or infrastructure impacts?

a. Production of toxic or hazardous waste: None

b. Dislocation of existing businesses, residents or public areas:

None

c. Production of air contaminants (temporary or permanent): Yes.

Temporary dust will be generated during clearing and construction or phases of construction. All required Environmental Controls will be complied with.

No significant impact.

8. Will the project require an increase in the requirements for any of the following public services (provide estimated quantities or volumes)? If answering yes to any of these items you must describe how the impact affects current infrastructure capacity. In addition, if the applicant/developer proposes contributions or mitigation to offset impacts, describe the contribution or mitigation.

a. Drinking water:

Drinking water will be used by commercial complex and other required services on site. A commercial meter will be applied for and used. Any additional usage will be determined and will be furnished to GWA as required during review and permitting process. Water reserve tanks will be on site to augment water supply and for fire suppression requirements. No significant impact.

EIA : Short Form - Zone Change - Lot 1306, Hagatna, Guam

b. Sewage disposal (public system) :

Public sewer is available in the area. Subject to GWA approval for connection into the public sewer system and Guam EPA approval. Applicant will coordinate and comply to this requirement for connection.

c. Vehicle traffic: Daily vehicular traffic will continue day to day fronting aright of way, its also near Route No. 4, public access to the site will be controlled and traffic circulation will be designed for safe egress /ingress to and from the site. Adequate parking will be provided on site.

9. Will clearing and/or grading be required (include the number of acres and a general description of site soil and slope conditions):

There will be clearing and grading and excavation for foundation on the site to prepare the proposed development . All required permits will be obtained prior to any construction activity on the site.

10. Will the project utilize an individual waste water disposal system such as septic tank/leaching field system, secondary package treatment system..etc.?)

No. Applicant will comply to GWA/GEPA requirements for connection to public sewer near the R.O.W.

11. Will the project include the use of above or below ground storage tanks for fuel or water?

No. Applicant will comply, should a requirement be needed in the future.

12. Does the project require permitting, land resources, financial aid or other assistance from the federal government (please provide type of permit, issuing agency, application dates, and contact person)?

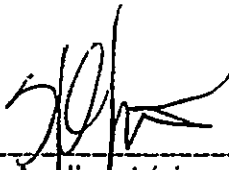
No. All financing will be funded with private funds of the applicant/owner.

13. Does the project include any special or unique features that are not covered above? None

If preliminary construction drawing, site plans, or related documents are available please provide such as attachments. For more information and assistance you may call GEPA Environmental Planning & Review Division at 475-1662/3

DECLARATION BY APPLICANT

Based on this assessment, it is reasonable to expect that this project will not result in significant adverse environmental impacts. I/we hereby declare a "finding of no significant impact".



Applicant (signature)

Harry D. Gutierrez, Consultant

June 12, 2018

Date

Providing false or misleading information in this assessment may constitute grounds for permit and EIA suspension or disapproval until such time as the applicant or document preparer makes all appropriate amendments or corrections as required by Guam EPA. Statements made in this form are binding for the purpose of environmental protection and the preparer and/or applicant is responsible for the timely implementation of protection and mitigation measures identified. Failure to fulfill stated avoidance, minimization or mitigation measures may also constitute grounds for Agency enforcement actions to the full extent of all applicable environmental regulations and statutes.



BUILDING - LOT 1306, HAGA TNA
CONCEPTUAL DRAWING
D-2

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BUILDING - LOT 1306, HAGĀTŌA
CONCEPTUAL DRAWING
D-1

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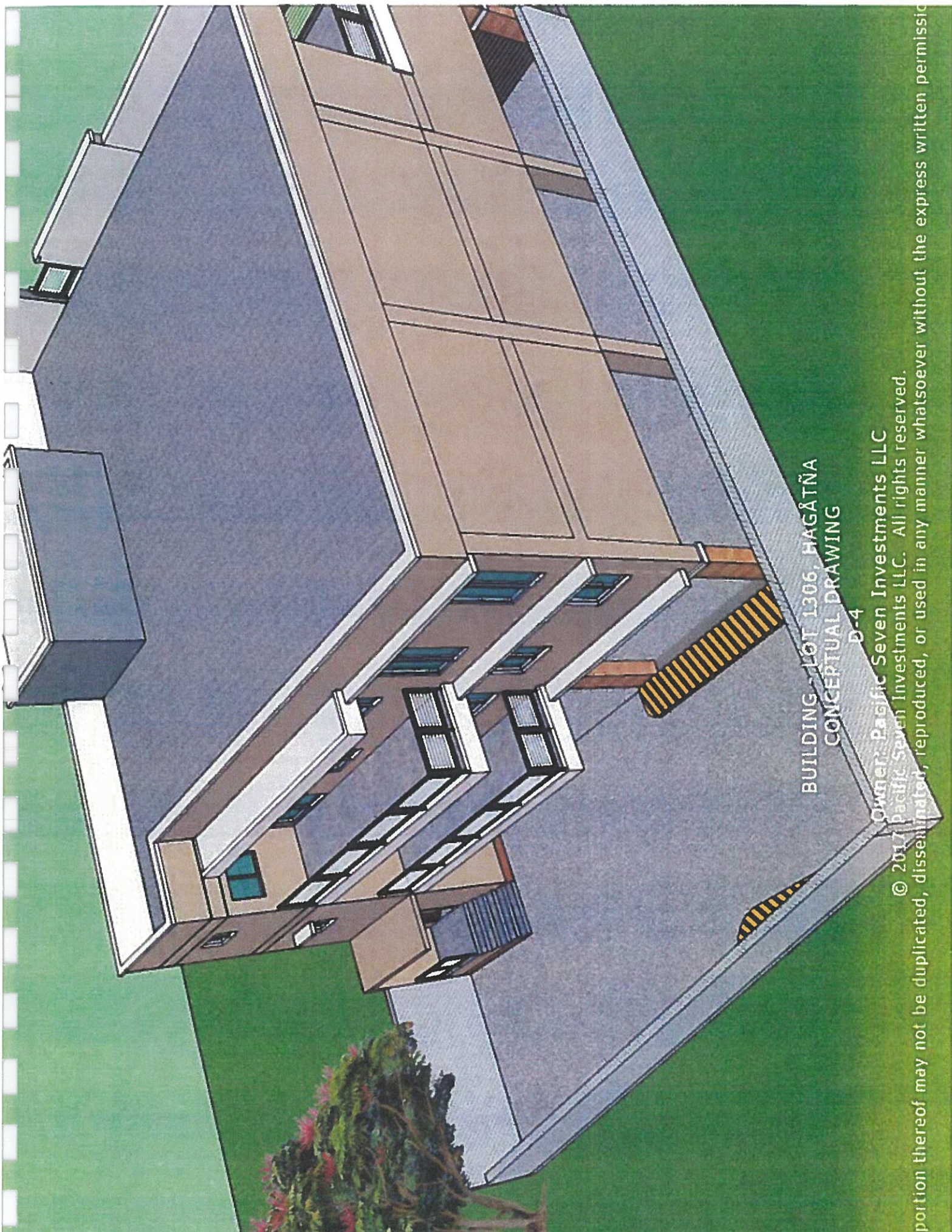


**BUILDING - LOT 1306, HAGÁTNA
CONCEPTUAL DRAWING**

D-3

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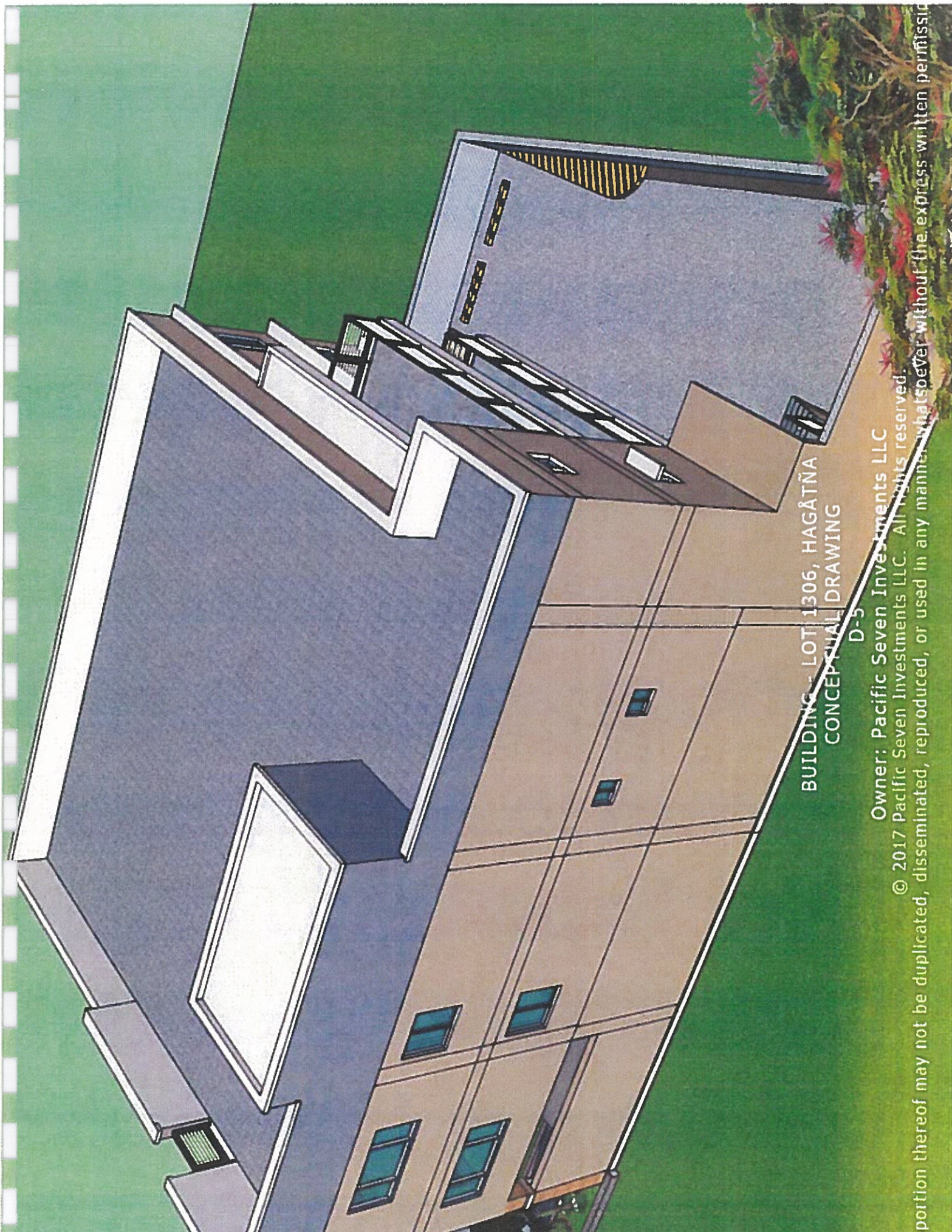
BUILDING - LOT 1306, HAGĀTŅA
CONCEPTUAL DRAWING

D-4

Owner: Pacific Seven Investments LLC

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BUILDING - LOT 1306, HAGÅTNA
CONCEPTUAL DRAWING

D-5

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BUILDING - LOT 1306, HAGĀTŌA
CONCEPTUAL DRAWING

D-6

Owner: Pacific Seven Investments LLC

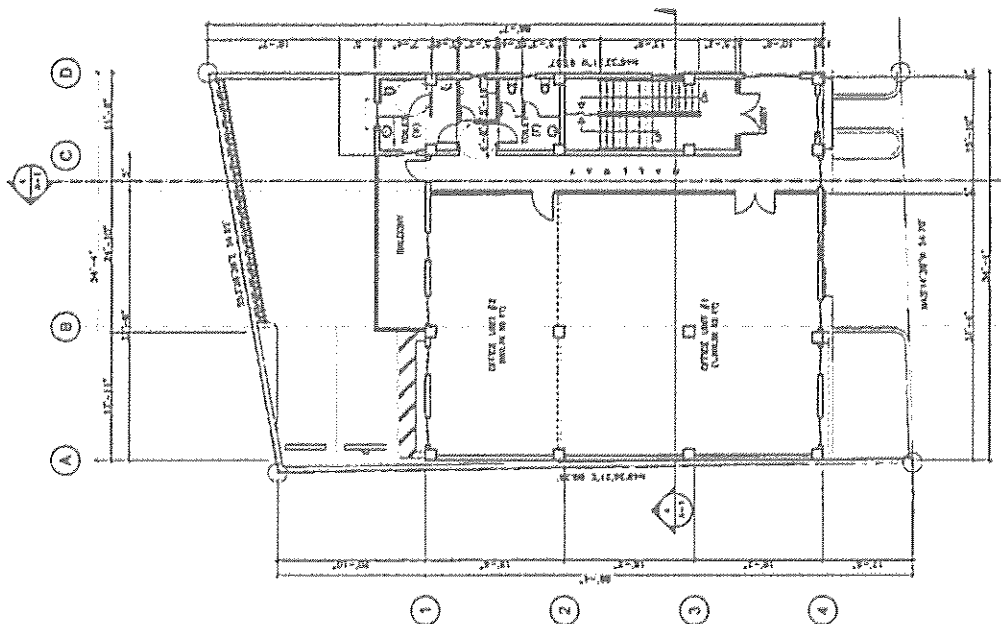
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[illegible][illegible]

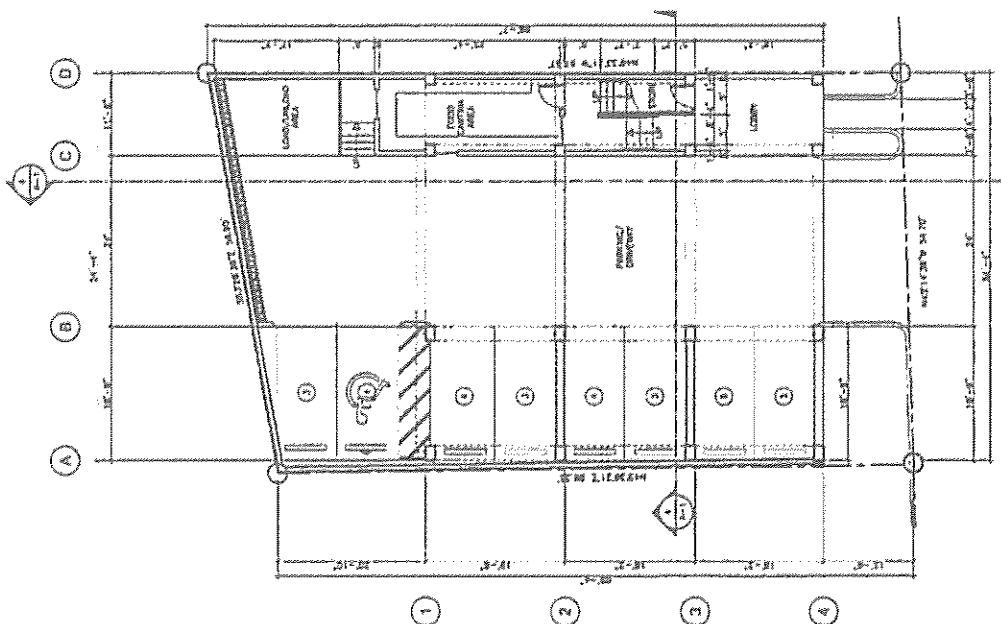
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**BUILDING - LOT 1306, HAGATNA
CONCEPTUAL DESIGN/FLOOR PLAN**



2 SECOND FLOOR PLAN 1/8" = 1'-0"

DATE	DESCRIPTION	AMOUNT	BALANCE
1/1/00	OPENING BALANCE	214.50	214.50
1/15/00	PAYROLL	50.00	164.50
2/1/00	PAYROLL	50.00	114.50
2/15/00	PAYROLL	50.00	64.50
3/1/00	PAYROLL	50.00	14.50
3/15/00	PAYROLL	50.00	(35.50)
3/31/00	CLOSING BALANCE		(35.50)



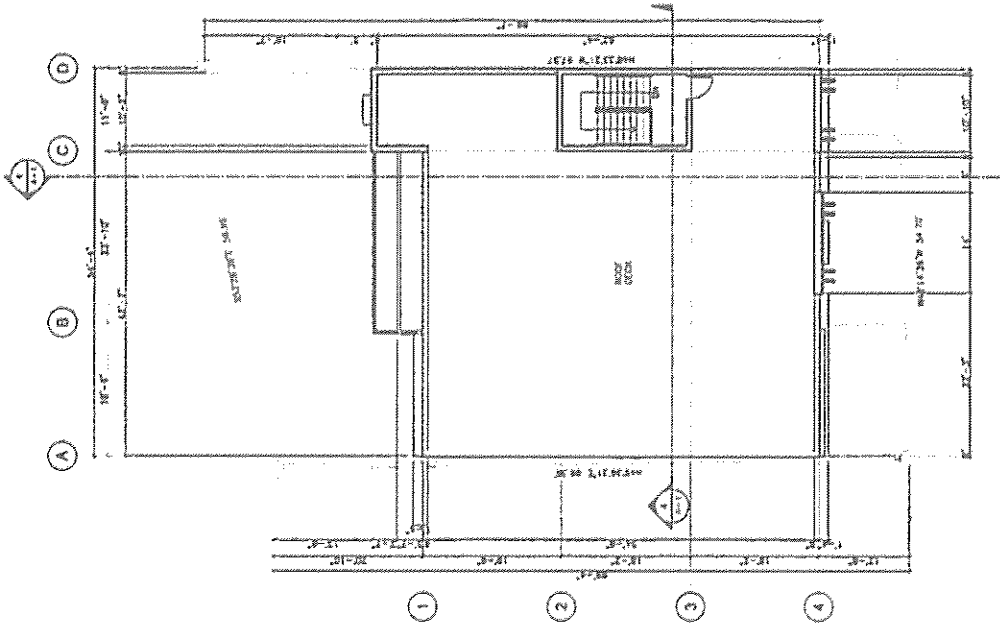
1 GROUND FLOOR PLAN
SCALE
1/4" = 1'-0"

[illegible]

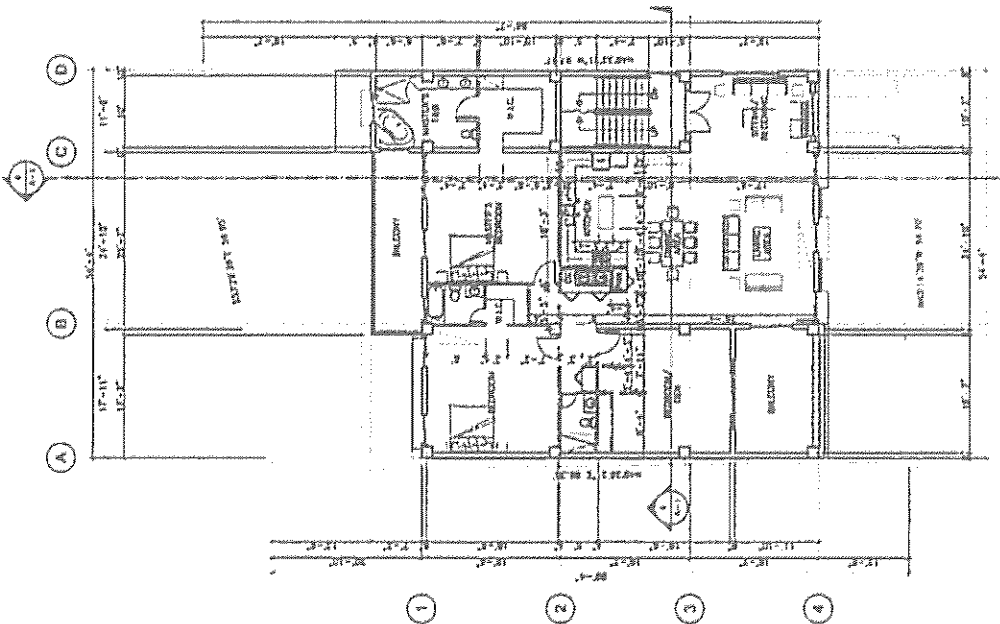
DATE WHEN SENT FOR ANALYSIS	ANALYST'S NAME	TESTS PERFORMED	TEST RESULTS	DATE	ANALYST'S SIGNATURE
01/10/2008	DR. J. M. C. RAO	DRUGS	COCAINE	01/10/2008	DR. J. M. C. RAO

[illegible]

BUILDING - LOT 1306, MAGALINA
 CONCEPTUAL DESIGN/FLOOR PLAN
 OWMEN Pacific Seven Investments LLC
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2 ROOF PLAN
SCALE: 1/8" = 1'-0"



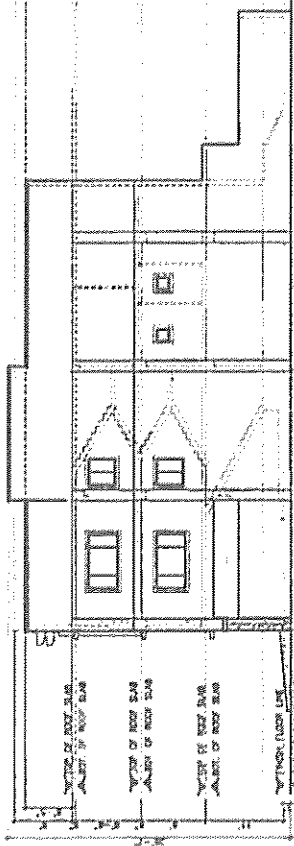
1 THIRD FLOOR PLAN
SCALE 1/8" = 1'-0"

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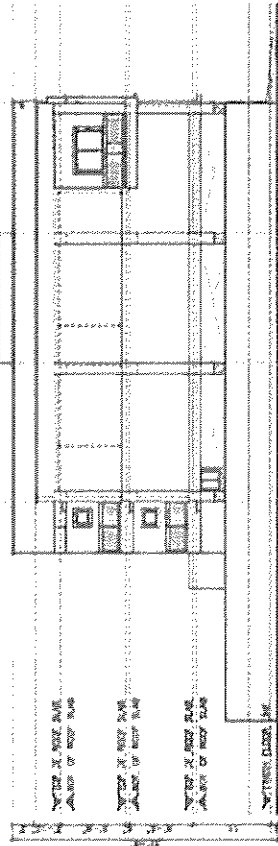
DATE	2018	2019
NAME	JOHN DOE	JOHN DOE
ADDRESS	123 MAIN ST	123 MAIN ST
CITY	SPRINGFIELD	SPRINGFIELD
STATE	MA	MA
ZIP	01103	01103
PHONE	(508) 555-1234	(508) 555-1234
EMAIL	JOHN.DOE@EXAMPLE.COM	JOHN.DOE@EXAMPLE.COM
STATUS	ACTIVE	ACTIVE
REMARKS	NO CHANGES	NO CHANGES

BUILDING - LOT 1306, MAGATTA
CONCEPTUAL DESIGN/FLOOR PLAN
OWNER: Pacific Seven Investments LLC
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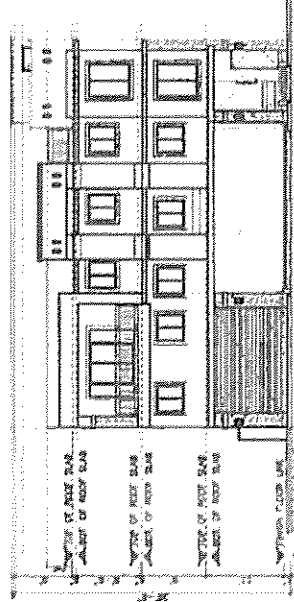
**BUILDING - LOT 1306, MAGATNA
CONCEPTUAL DESIGN/FLOOR PLAN**



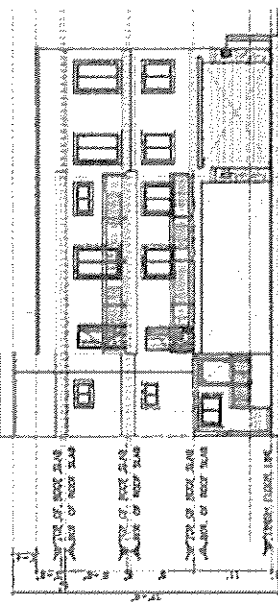
RIGHT ELEVATION
SCALE
2



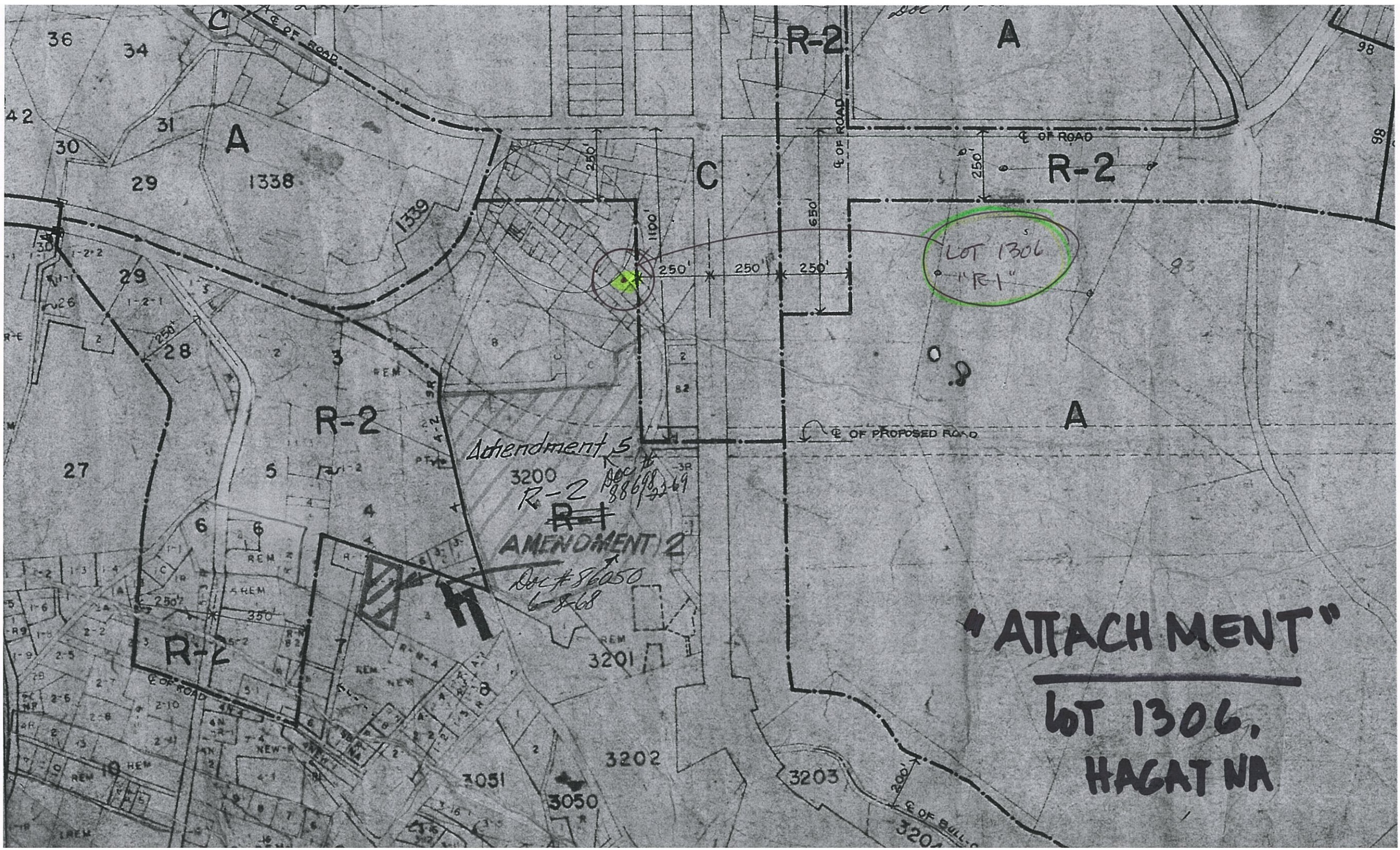
4 LEFT SIDE ELEVATION



1 FRONT ELEVATION
SCALE 1/8" = 1'-0"



REAR ELEVATION

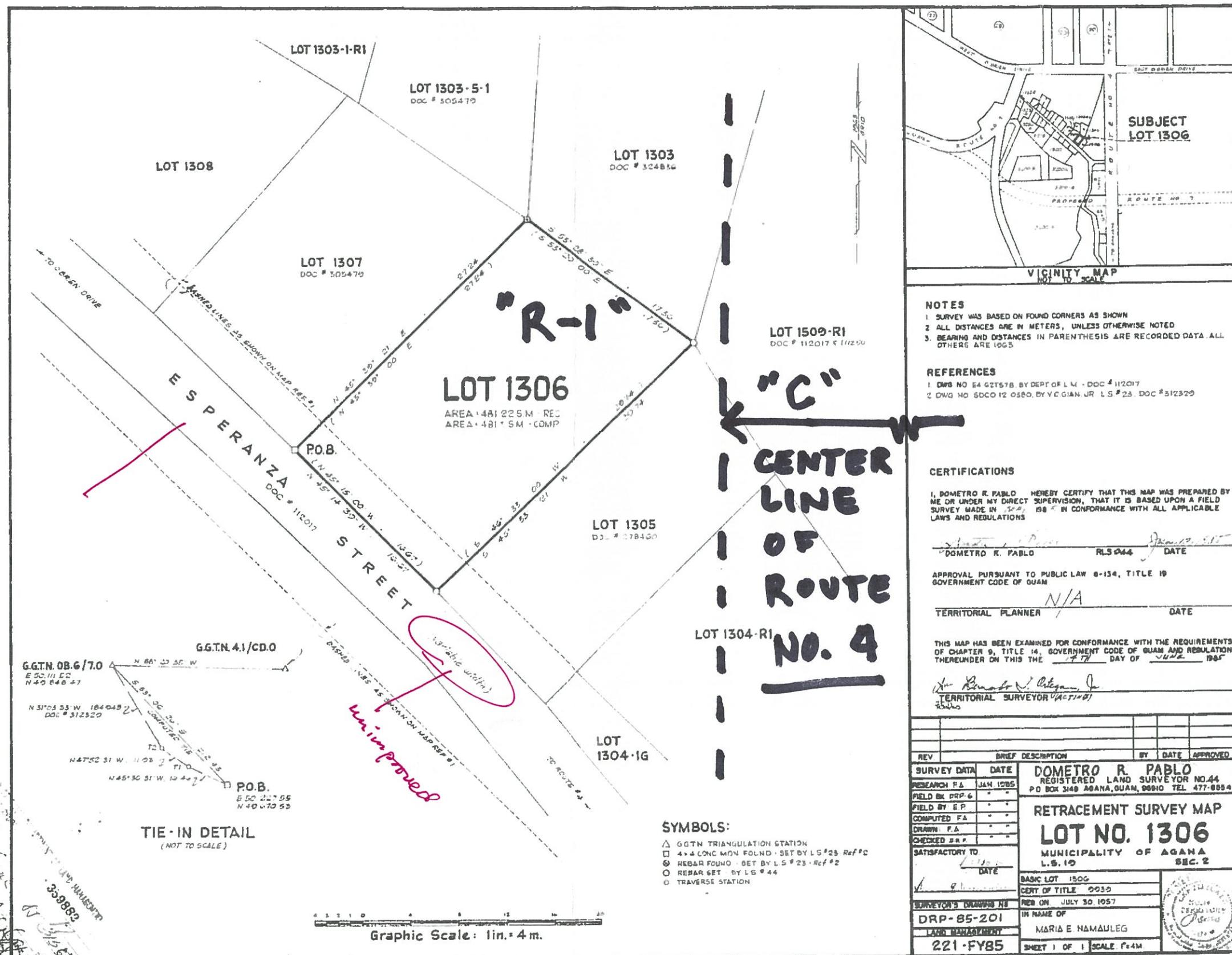


Attachment 5
3200
R-2
Doc # 88698
6-8-68
AMENDMENT 2
Doc # 86050
6-8-68

"ATTACHMENT"
LOT 1306,
HAGAT NA

5124

5124



5124